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UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

CASE NO.

2:10-MJ-983

Plaintiff,

) ORDER OF DETENTION

vs.

Defendant.

I

A.  On motion of the Government in a case allegedly involving:

1.  a crime of violence.

2.  an offense with maximum sentence of life imprisonment or death.

3.  a narcotics or controlled substance offense with maximum sentence of ten or more years.

4.  any felony - where defendant convicted of two or more prior offenses described above.

5. ( ) any felony that is not otherwise a crime of violence that involves a minor victim, or possession or use of a firearm or destructive device or any other dangerous weapon, or a failure to register under 18 U.S.C. § 2250.

B.  On motion by the Government/  on Court's own motion,  
in a case allegedly involving:

(~~1~~) On the further allegation by the Government of:

1.  a serious risk that the defendant will flee.
2.  a serious risk that the defendant will:
  - a.  obstruct or attempt to obstruct justice.
  - b.  threaten, injure or intimidate a prospective witness or juror, or attempt to do so.

C. The Government ( ) is/  is not entitled to a rebuttable presumption that no condition or combination of conditions will reasonably assure the defendant's appearance as required and the safety of any person or the community.

III

A. ~~(A)~~ The Court finds that no condition or combination of conditions will reasonably assure:

1.  the appearance of the defendant as required.  
 and/or
2.  the safety of any person or the community.

B. ( ) The Court finds that the defendant has not rebutted by sufficient evidence to the contrary the presumption provided by statute.

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1 III  
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3 The Court has considered:

4 A. the nature and circumstances of the offense(s) charged,  
5 including whether the offense is a crime of violence, a Federal  
6 crime of terrorism, or involves a minor victim or a controlled  
7 substance, firearm, explosive, or destructive device;  
8 B. the weight of evidence against the defendant;  
9 C. the history and characteristics of the defendant; and  
10 D. the nature and seriousness of the danger to any person or the  
11 community.

12 IV  
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14 The Court also has considered all the evidence adduced at the  
15 hearing and the arguments and/or statements of counsel, and the  
16 Pretrial Services Report/recommendation.

17 V  
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19 The Court bases the foregoing finding(s) on the following:  
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21 A.  As to flight risk:  
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(1) illegal status  
(2) no bail resources  
(3) nature of current charges

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B. ( ) As to danger:

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VI

A. ( ) The Court finds that a serious risk exists the defendant will:

1.    ( ) obstruct or attempt to obstruct justice.
2.    ( ) attempt to/ ( ) threaten, injure or intimidate a witness or juror.

B. The Court bases the foregoing finding(s) on the following:

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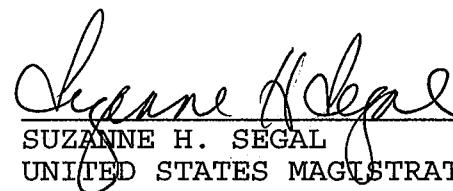
A. IT IS THEREFORE ORDERED that the defendant be detained prior to trial.

B. IT IS FURTHER ORDERED that the defendant be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal.

1 C. IT IS FURTHER ORDERED that the defendant be afforded  
2 reasonable opportunity for private consultation with counsel.

3 D. IT IS FURTHER ORDERED that, on order of a Court of the United  
4 States or on request of any attorney for the Government, the  
5 person in charge of the corrections facility in which defendant  
6 is confined deliver the defendant to a United States marshal for  
7 the purpose of an appearance in connection with a court  
8 proceeding.

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10 DATED: 4/28/10

  
11 SUZANNE H. SEGAL  
12 UNITED STATES MAGISTRATE JUDGE

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